

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MERCK & CO., INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-230 (GMS)
)	
APOTEX, INC.)	
)	
Defendant.)	

STIPULATION AND ORDER TO EXTEND TIME

Plaintiff and Defendant hereby stipulate, subject to the approval of the Court, that Defendant's time to file a Reply on its pending Motion for Leave to File a First Amended Answer, Affirmative Defenses and Counterclaims is extended to December 8, 2006.

Defendant has asked for this extension of time in order to have sufficient time to respond to arguments raised by Plaintiff in its answering brief. The remaining dates on the case schedule remain unchanged.

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SO ORDERED this _____ day of _____, 2006.